

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

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**KELLY CRAWFORD, IN HIS CAPACITY  
AS RECEIVER FOR TMTE, INC. a/k/a  
METALS.COM, et al.**

**Plaintiff,**

**v.**

**DAVID BLEEDEN, et al.,**

**Defendants.**

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**Civil Action No. 3:21-cv-02181-X**

**PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES**

COMES NOW, Kelly Crawford in his capacity as court-appointed Receiver<sup>1</sup> ("Plaintiff") and hereby files this his Designation of Expert Witnesses in accordance with the Scheduling Order entered on February 27, 2024 [Doc. 273] and FED R. CIV. P. 26(a)(2), and hereby designates the following persons who will testify as expert witnesses:

**1. DANA SAMUELSON**

American Gold Exchange, Inc.,  
4210 Spicewood Springs Rd., Ste. 100,  
Austin, TX 78759-8653.  
Telephone: (512) 323-0199  
[dana@amergold.com](mailto:dana@amergold.com)

- (a) Mr. Samuelson will testify as to the nature and value of the precious metals products sold by Chase Metals and Barrick Capital, spreads on Chase Metals and Barrick Capital sales, the economic impact of the transactions on Chase Metals and Barrick Capital customers, and structure and pricing in the precious metals market.
- (b) No expert report is required for Mr. Samuelson since Mr. Samuelson is not employed by Plaintiff and was not retained or specifically employed to provide expert testimony in this

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<sup>1</sup> Mr. Crawford was appointed receiver by this Court in Civil Action No. 3:20-CV-2910-X (the "Underlying Lawsuit" or "UL"), per the Emergency Ex Parte Statutory Restraining Order (the "SRO") entered on September 22, 2020 [UL Docket No. 16]. Per the SRO, Mr. Crawford was appointed receiver of the assets of Underlying Lawsuit Defendants Lucas Asher and Simon Batashvili, and the entities they own and control. Thereafter, the SRO was extended by an Order entered by the Court on October 5, 2020 [UL Docket No. 148] and agreed to by Defendants per the consent orders entered on October 15, 2020 [UL Docket Nos. 164-165].

case. However, Mr. Samuelson was retained as an expert by the CFTC in the underlying lawsuit, *CFTC et al v. TMTE Inc. et al.* Case No. 3:20-CV-2910-X. A copy of Mr. Samuelson's expert report from that case will be served contemporaneously with this filing as a courtesy. Plaintiff reserves the right to supplement this designation, and the corresponding expert report, based upon the discovery to be had in this lawsuit.

**2. JEFFREY E. BRANDLIN**

CPA, CFF / CIRA, CM&AA  
Brandlin & Associates  
545 South Figueroa Street, Suite 1134  
Los Angeles, CA 90071  
Cell: (310) 990-4955  
Telephone: (310) 789-1777 ext.99  
[jeff@brandlin.com](mailto:jeff@brandlin.com)

- (a) Mr. Brandlin will testify regarding the forensic accounting done by Brandlin & Associates, particularly with respect to tracing transfers from the defendants of the Underlying Lawsuit to the defendants of the above-styled lawsuit. Mr. Brandlin is expected to testify that defendants in the Underlying Lawsuit transferred assets to the Defendants of the above-styled lawsuit.
- (b) No expert report is required for Mr. Brandlin since Mr. Brandlin is not employed by Plaintiff and was not retained or specifically employed to provide expert testimony in this case. Plaintiff reserves the right to supplement this designation based upon the discovery to be had in this lawsuit.

**3. KELLY CRAWFORD**

Scheef & Stone, LLP  
500 North Akard, Suite 2700  
Dallas, Texas 75201  
Telephone: (214) 706-4200  
Fax: (214) 706-4242  
[kelly.crawford@solidcounsel.com](mailto:kelly.crawford@solidcounsel.com)

- (a) Mr. Crawford will testify regarding the reasonableness and necessity of the attorneys' fees and expenses incurred by the Plaintiff in this lawsuit.
- (b) No expert report is required for Mr. Crawford since Mr. Crawford, in his capacity as Receiver, is the Plaintiff. Mr. Crawford is thus not employed by Plaintiff and was not retained or specifically employed to provide expert testimony in this case. Nonetheless, Mr. Crawford discloses the following information as a courtesy:
  - a. Mr. Crawford's credentials and experience are summarized and can be found at <https://solidcounsel.com/attorneys/kelly-crawford/>. Given that this matter is ongoing, Mr. Crawford has not yet formulated an opinion regarding the total amount of attorney's fees for which Plaintiff may seek to recover and Plaintiff reserves the right to supplement his impressions and opinions as well as the facts on which he bases those opinions as the case progresses.

b. Mr. Crawford is familiar with the reasonable and customary hourly rates charged for this type of work in state and federal courts in Texas, including this District. Mr. Crawford has reviewed the pleadings, discovery materials, and correspondence in this case, and will continue to do so as the case progresses. He is familiar with the facts of this case and work performed in connection with this case, and will rely upon his training and experience as a lawyer in rendering an opinion as to the reasonable and necessary attorneys' fees in this case, as well as the following factors and authority:

- i. the time and labor required to pursue this case;
- ii. the novelty and difficulty/complexity of the issues involved in this case;
- iii. the skill required to perform the legal services properly;
- iv. the preclusion of other employment by the attorneys involved due to acceptance of this case;
- v. the customary fee charged for such legal services;
- vi. whether the fee is fixed or contingent;
- vii. time limitations imposed by the client or the circumstances of the case itself;
- viii. the amount involved and the result obtained;
- ix. the experience, reputation, and ability of the attorneys involved;
- x. the "undesirability" of the case;
- xi. the nature and length of the professional relationship with the client; and
- xii. awards in similar cases.

*See Arthur Anderson v. Perry Equip. Corp.*, 945 S.W.2d 812, 819 (Tex. 1997).

c. Mr. Crawford's opinions and the basis for those opinions are subject to change as the case is more fully developed and additional attorneys' fees and costs are incurred. Generally, however, Mr. Crawford has the following opinions:

- i. The hourly rates charged at Scheef & Stone LLP and Brown Fox PLLC are reasonable and within the range of rates charged in Texas and in this District for similar work performed by lawyers with similar background, qualifications, experience, reputation, and skill of the lawyers; and
- ii. The attorneys' fees and costs incurred to date were reasonable and necessary. Mr. Crawford will continue to review pleadings, documents produced, discovery responses, depositions in this case, and contemporaneously recorded statements of attorney time spent in connection with this matter in supplementing or amending his opinion. Mr. Crawford may prepare an exhibit summarizing reasonable and necessary attorney time, fees, and costs in this matter.

(c) Mr. Crawford reserves the right to supplement this disclosure based upon the discovery to be had in this lawsuit.

Dated: September 30, 2024

Respectfully submitted,

**SCHEEF & STONE, LLC**

By: /s/ Peter C. Lewis  
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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2024, service of the foregoing document was made upon all parties in this matter via the court's electronic-filing system.

/s/ Peter C. Lewis  
Peter C. Lewis